

Sandra Carey
Scottish Executive
Planning Division
Victoria Quay
Edinburgh
EH6 6QQ

22 June 2007

Dear Sir/Madam,

STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT - CONSULTATION PAPER

The Cockburn Association welcomes the opportunity to comment on the Statutory Guidance on Planning and Sustainable Development Consultation Paper. The Cockburn Association is Edinburgh's Civic Trust, established in 1875. The Association has a longstanding interest in environmental and planning issues. We are a membership organisation comprised of c.1600 individual members, 70 affiliated members (street & associations and community councils) and 56 corporate members.

Our response takes the form of both general and specific comments:

- We support the statutory status of the guidance and the arrangements for implementation and monitoring. These should give the requisite emphasis upon the fundamental importance of this guidance.
- We welcome the inclusion and discussion of some possible effects of climate change.
- The source definition of sustainable development in the Brundlandt report 1983 is not used. The meaning is not always clear as 'sustainable' is widely used in different contexts – 'sustainable economy', 'sustainable modes of transport', 'sustainable buildings' etc.
- Sustainability guidelines closely related to the Brundlandt definitions do not appear to have been used. Of the 5 principles for sustainable development mentioned in the Guidance, only one directly refers to the environment.
- There is a tension between the Scottish Executive's top priority for 'sustainable economic growth' and the achievement of a reasonable balance with the protection and enhancement of the natural and cultural heritage using sustainability criteria. The Association is of the opinion that the phrase 'top priority' appears to be inimical to the achievement of balance.
- Growth, as used in several Scottish Executive documents, appears to be construed as being limitless, which would be patently unsustainable. The Association further notes that this interpretation cascades down to local authorities e.g. the City of Edinburgh Council's 2006 paper 'A vision for capital growth 2040'. There is a general impression that growth has primacy and will be facilitated wherever possible,

irrespective of the adverse consequences for the natural and cultural heritage and the quality of life of people.

- A fundamental component of 'well being' is the quality of the landscape and more emphasis should be given to its protection and enhancement. No mention is made of the European Landscape Convention.

Our specific comments relate to the paragraphs of the Consultation paper:

GENERAL POLICY CONTEXT

Sustainable Development

The definition of sustainable development does not fully equate with the source definition given in the Brundtland Report of 1983.

'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs'

Crucially, this is amplified by:

'At a minimum, sustainable development must not endanger the natural systems that support life on earth: the atmosphere, the waters, the soils and the living beings'

It is important that the original definitions are followed to avoid confusion in the interpretation of what sustainable development actually means.

The Association also considers it important that clear guidance is given on the interpretation and application of the Brundtland definitions of sustainable development. We do not consider that the Scottish Executive's Guidance does this in all respects.

We believe that a good example of the principles of sustainability is given in: *Sustainable Development and the Natural Heritage: The Scottish Natural Heritage Approach 1993*.

This sets out important **ethical principles** to be followed in relation to 'equity'. Of these **'Societal Equity – one sector of society should not exploit natural resources nor damage the environment at the expense of another'** is of particular importance to communities. It is manifest in the frequent tension between a community's desire to maintain its heritage, green spaces and quality of life against the erosion of these by development.

The Scottish Natural Heritage guidance also advocates five guidelines for sustainable development. These are repeated below:

1. **Non-renewable resources should be used sparingly at a rate, which does not restrict the options of future generations.**

- 2. Renewable resources should be used within the limits of their capacity for regeneration.**
- 3. The quality of the natural heritage as a whole should be maintained and improved.**
- 4. In situations of great complexity or uncertainty we should act in a precautionary manner.**
- 5. There should be an equitable distribution of costs and benefits [material and non material] of any development.**

The application of these guidelines is explained and some of these explanations could be usefully included within the Scottish Executive's Guidance, in particular those for Guidelines 2 and 4. In this respect, we note that Scottish Natural Heritage is a statutory consultee.

Climate change

We welcome the inclusion and discussion of possible climate change effects and their implications for planning.

In **Rural Areas** [paragraph 8], we believe it would be useful to include a reference to the recently published Forestry Strategy for Scotland and its advocacy of the benefits of woodland for carbon sequestration.

In the implications of climate change for planning [Paragraph 10 - 1st bullet], we are surprised that no mention is made of the very significant carbon emissions of air travel and possible measures to ameliorate these e.g. greater use of rail travel for journeys within GB, etc.

Paragraph 10 – 2nd bullet: It would be helpful to have an explanation of a 'decentralised' renewable energy system.

Paragraph 10 – 3rd and 4th bullets: It would be helpful to include some advice [or reference source] on the types of trees and shrubs likely to be resilient to the types of climate change likely to be experienced in Scotland. Trees in particular have long life spans and it could be prudent to plant resilient species sooner rather than later.

Strategic Environmental Assessment

We believe that Strategic Environmental Assessment (SEA) is an important mechanism for assessing the environment impacts of development, appropriate mitigation and alternative options. We consider that SEA findings should not only be 'conveyed', but also be acted upon by the PPS [Paragraph 12 – last sentence]. Otherwise the value and effectiveness of SEA could be compromised.

In Paragraph 12 the penultimate sentence provides a caveat for development – this is one of a number of examples in the Guidance, where primacy could apparently be given to development, irrespective of environmental and other issues. Such caveats lessen confidence in the integrity of the Guidance.

Planning Modernisation

In Paragraph 17, we cannot stress enough the importance of *'taking the views of communities into account'* and to be seen to be doing so. This is vital to the credibility of the Guidance and we recommend that greater prominence is given to genuine and effective community consultation throughout the document.

PLANNING AND SUSTAINABLE DEVELOPMENT

Planning and Transport

We agree that the link between planning and transport is important [Paragraph 23]. But we believe that the rationale behind this to reduce dependence on car travel and encourage more sustainable modes of transport needs to be carefully assessed against any adverse losses to Green Belts and green spaces.

In Paragraph 24, we consider that the provision of 'high quality public transport' also demands the implementation of imaginative mitigation measures of the highest quality.

Living within Environmental Limits

Paragraph 26 is a vital component for delivering effective sustainable development. We support the generality of this paragraph, but consider it important that more detail [or reference sources] is given on the techniques for assessing the capacity of the natural and cultural heritage to accept change without damage to their intrinsic qualities. In particular, the importance of protecting and enhancing landscape and scenery for quality of life and well being should be stressed.

Ensuring a Strong, Healthy and Just Society

The ethics of Societal Equity, mentioned previously, apply to Paragraph 27. At a minimum, it is important to say that the reasoned views of communities will be listened to, taken into account and acted upon.

We fully agree with the statements about the negative effects of cumulative development impacts upon communities. In our view these often apply most significantly in the urban fringe e.g. pylons, roads, telecom masts, erosion of green spaces to development etc. The urban fringe is most sensitive, because it provides the immediate countryside setting for communities, is accessible for informal, outdoor recreation and makes a major contribution to their quality of life and well being.

Achieving a Sustainable Economy

We are concerned that an impression given in Paragraph 28 is that growth appears to be construed as being limitless and that all land and all buildings

should be developed. If this is what is meant by the first two sentences of this paragraph, this would be patently unsustainable.

In many sensitive landscapes, habitats, places, buildings and artefacts throughout Scotland, the protection of the intrinsic quality of such features should take priority over any development that threatens these qualities. Essentially this is known as the 'Sandford Principle', which has been incorporated in the National Park [Scotland] Act 2000 [Section 9 (6)]. Some qualifications are needed in this paragraph to reflect these concerns.

In the last sentence, we fully support the statement that:
'the aim is for integrated decisions which benefit communities and the environment...'

Promoting Good Governance

We support a plan-led approach in planning for sustainable development. In relation to community engagement, however, we stress again the importance of taking account of and acting upon the reasoned views of communities.

Using Sound Science Responsibly

At paragraph 30, mention should be made of the 'precautionary principle', which is a fundamental sustainability criterion. This principle not only covers science, but also other matters of complexity, such as judgements on aesthetic issues and quality of life.

PLANNING'S CONTRIBUTION

At Paragraph 31, it would be helpful if some of the key environmental policies could also be mentioned e.g. NPPG 14 Natural Heritage, NPPG 18 Historic Environment, SPP21 Green Belts.

Location of New Development

In general, we find the statements about the various issues in this section to be acceptable, but have the following outline comments:

- **Assess the potential of existing settlements to accommodate further development and regeneration:** It is important to obtain the views of communities on this issue.
- **Promote rural development and regeneration:** The siting of new development must also avoid adverse impacts upon landscape.
- **Protect and enhance the natural environment:** Planning policies must now also have regard to the European Landscape Convention.
- **Consider long-term impacts on coastal areas:** We believe the issue of maintaining and improving coastal defences is likely to be a sensitive issue for coastal [and riverine] communities. Local authorities may require additional resources [both technological and financial] in order to achieve effective solutions that are supported by communities.

- **Consider energy systems on a strategic basis:** We are concerned that SPP6 is overly directive in encouraging support for wind farms and micro wind turbines on buildings instead of considering a wide range of renewable technologies. Wind farms can be easily seen over long distances and adverse cumulative visual impacts can quickly occur – new detailed guidelines on the location and layout and design of wind farms to ameliorate such effects are needed. Similarly there is a need for guidance on the cost effectiveness of micro turbines and the appropriateness of their siting on buildings.
- **Conserve air quality:** The conservation of air quality also covers the availability of low/non carbon fuels, road and traffic management issues to alleviate congestion etc. Integrated thinking [planning and transport] also needs to take these matters into account in this section.

Design and Layout of Buildings

In general, we find the statements about the various issues in this section to be acceptable, but have the following outline comments:

- Paragraph 36: For the avoidance of doubt, it would be helpful to indicate that the design and layout of buildings includes their adjoining spaces and settings.
- Lifecycles: A major impediment to the flexible use of modern houses is the design of rafters that inhibit the easy and economical conversion of loft space to living space.

KEY MECHANISMS FOR DELIVERING SUSTAINABLE DEVELOPMENT THROUGH PLANNING

Development Plans

In general, we find the statements about the various issues in this section to be acceptable, but have the following outline comments:

Process: We wish to stress that a widespread concern of communities is their perception of the constant erosion of their nearby green spaces, green belt and countryside to the detriment of their quality of life and well being.

Design Briefs and Design Statements: We fully support both these mechanisms.

We hope that you find our comments constructive and we look forward to seeing the revised Guidance.

Yours faithfully,

Moira Tasker
Director

RESPONDEE INFORMATION FORM

Please complete the details below and attach it with your response. This will help ensure we handle your response appropriately:

Name: MORIA TASKER

Postal Address: THE COCKBURN ASSOCIATION, TRUNKS CLOSE, 55 HIGH STR.
EDINBURGH EH1 1SR

Consultation title: **STATUTORY GUIDANCE ON PLANNING AND SUSTAINABLE DEVELOPMENT: DRAFT FOR CONSULTATION**

1. Are you responding as: (please tick one box)

- (a) an individual (go to 2a/b)
(b) **on behalf of** a group or organisation (go to 3)

2a. **INDIVIDUALS:** Do you agree to your response being made available to the public (in SE library and/or on SE website)?

- Yes (go to 2b below)
No, not at all

2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (please tick **one** of the following boxes)

- Yes, make my response, name and address all available
Yes, make my response available, but not my name or address
Yes, make my response and name available, but not my address

3 **ON BEHALF OF GROUPS OR ORGANISATIONS:**

Your name and address as respondees **will be** made available to the public (in the SE library and/or on SE website). Are you content for your response to be made available also?

- Yes
No

4. We will share your response internally with other SE policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future for consultation or research purposes?

- Yes
No